



OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 02-01-055

EFFECTIVE DATE: 9/30/2013

SUBJECT: Maritime Cargo Gear Standards and 29 CFR Part 1919 Certification

ABSTRACT

Purpose: To provide national, regional and area offices, interested industry groups, and State and federal agencies guidance concerning OSHA's policy and procedures on the enforcement of standards and the requirements for 29 CFR Part 1919 *Gear Certification* in the maritime industry (shipyard employment, marine terminals and longshoring operations).

Scope: OSHA-wide.

References: See Section V.

Cancellations: OSHA Instruction CPL 02-01-039, *Enforcement of Cargo Gear Regulations and the Requirements for Gear Certification in the Maritime Program*, March 24, 2003.

State Impact: Notice of Intent and Equivalency Required.

Action Offices: National, Regional, Area, and State Plan Offices.

Originating Office: Directorate of Enforcement Programs.

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By and Under the Authority of

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Executive Summary

The enforcement of the maritime cargo gear standards requires knowledge of the roles and authority of OSHA, the U.S. Coast Guard, and foreign maritime countries, as well as an understanding of the requirements for cargo gear certification pursuant to 29 CFR Part 1919. This instruction provides guidance concerning OSHA's policy and procedures pertaining to maritime cargo gear certification to Occupational Safety and Health Administration (OSHA) national, regional and area offices, along with interested industry groups, State programs, and federal agencies. The revision of this instruction was primarily made to incorporate information and guidance regarding the Web Integrated Management Information System (Web IMIS) "Maritime Crane Application" database which was initiated on January 1, 2009. This Part 1919 online database replaced the previous 4-part carbon OSHA Forms 71 and 72, with a Web IMIS application that provides for online electronic OSHA Forms 71 and 72. OSHA field offices now have the capability to check the inspection and testing status of cranes that require Part 1919 certification via the Web IMIS "Maritime Crane Application."

Significant Changes

This instruction has been revised and updated to include the following significant changes:

- New information and guidance was included regarding the 29 CFR Part 1919 Web Integrated Management Information System (Web IMIS) "Maritime Crane Application."
- Additional information and guidance was included regarding OSHA enforcement on foreign-flag vessels.
- Appendix B was added to provide an overview of the maritime 29 CFR Part 1919 Gear Certification Program.
- Appendix C was added to provide common questions and answers regarding the Web IMIS "Maritime Crane Application."
- Appendices D and E were added to provide samples of a completed OSHA Form 71 and 72.
- Changes were made in the instruction format necessitated by ADM 03-00-003, OSHA Directives System.
- Provides a web-based format with electronic links for information pertinent to maritime cargo gear including OSHA standards, OSHA directives, and industry related websites.

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- I. Purpose. To provide national, regional and area offices, interested industry groups, and State and federal agencies guidance concerning OSHA’s policy and procedures on the enforcement of cargo gear standards and the requirements for 29 CFR Part 1919 *Gear Certification* in the maritime industry (shipyard employment, marine terminals and longshoring operations).
- II. Scope. This instruction applies OSHA-wide to all programmed and unprogrammed enforcement inspections and consultation interventions in the maritime industry (shipyard employment, marine terminals, and longshoring operations).
- III. Cancellations. This instruction supersedes and cancels OSHA Instruction CPL 02-01-039, *Enforcement of Cargo Gear Regulations and the Requirements for Gear Certification in the Maritime Program*, March 24, 2003.
- IV. Significant Changes. This instruction has been revised and updated to include the following significant changes:
- New information and guidance was included regarding the 29 CFR Part 1919 Web Integrated Management Information System (Web IMIS) “Maritime Crane Application.”
 - Additional information and guidance was included regarding OSHA enforcement on foreign-flag vessels.
 - Appendix B was added to provide an overview of the maritime 29 CFR Part 1919 Gear Certification Program.
 - Appendix C was added to provide common questions and answers regarding the Web IMIS “Maritime Crane Application.”
 - Appendices D and E were added to provide samples of a completed OSHA Form 71 and 72.
 - Changes were made in the instruction format necessitated by ADM 03-00-003, OSHA Directives System.
 - Provides a web-based format with electronic links for information pertinent to maritime cargo gear including OSHA standards, OSHA directives, and industry related websites.
- V. References.
- A. Standards.
1. [29 CFR Part 1910](#), General Industry Standards.
 2. [29 CFR Part 1915](#), Shipyard Employment Standards.
 3. [29 CFR Part 1917](#), Marine Terminals Standards.
 4. [29 CFR Part 1918](#), Longshoring Standards.

5. [29 CFR Part 1919](#), Gear Certification Standards.
6. [29 CFR Part 1926](#), Construction Standards.

B. Directives.

1. [CPL 02-00-154](#), Longshoring and Marine Terminals “Tool Shed” Directive (July 31, 2012).
2. [CPL 02-00-142](#), Shipyard Employment “Tool Bag” Directive (August 3, 2006).
3. [CPL 02-00-150](#), Field Operations Manual (FOM) (April 22, 2011).
4. [CPL 02-01-047](#), OSHA Authority Over Vessels and Facilities on or Adjacent to U.S. Navigable Waters and the Outer Continental Shelf (OCS) (February 22, 2010).
5. [CSP 03-02-002](#), OSHA Strategic Partnership Program for Worker Safety and Health (December 9, 2004).
6. [STD 03-13-002](#), 29 CFR 1926.605(a)(1) as Applied to Marine Construction (July 15, 1982).

C. Other Resources.

1. [Department of Labor 2011-2016 Strategic Plan](#), Department of Labor Strategic Plan for Fiscal Years 2011-2016.
2. [Maritime Crane Accreditation and Certification Program](#). This page on the OSHA public website includes an explanation of the maritime 29 CFR Part 1919 Gear Certification Program, provides guidance on the use of the OSHA Forms 71 and 72, and provides a list of the agencies accredited by OSHA pursuant to [29 CFR Part 1919](#).
 - a. [Explanation of OSHA’s Cargo Gear Accreditation & Certification Program](#) (See also Appendix B).
 - b. [Guidance for OSHA 29 CFR Part 1919 Accredited Agencies – Use of OSHA Official Certification Forms](#) (See also Appendices D and E).
 - c. [Certification Agencies Accredited by the Occupational Safety and Health Administration under the Regulations of Title 29, Chapter XVII, Part 1919](#) (updated quarterly).
3. [62 F.R. 40141-40234](#), Longshoring and Marine Terminals; Final Rule (July 25, 1997).

4. [76 F.R. 33590-33612](#), Standards Improvement Project-Phase III; Final Rule (June 8, 2011).
 5. [International Labour Organization \(ILO\) Convention No. 152](#).
- VI. Expiration Date. This instruction will remain in effect until canceled or superseded by another instruction or notice.
- VII. Federal Program Change – Notice of Intent and Equivalency Required. This instruction describes a federal program change which provides guidance concerning OSHA’s policy and procedures on the enforcement of cargo gear standards and the requirements for 29 CFR Part 1919 *Gear Certification* in the maritime industry. States with OSHA-approved State Plans that cover private-sector maritime employment (i.e., activities addressed in 29 CFR Part 1915 – Shipyard Employment and 29 CFR Part 1917 – Marine Terminals), as well as those with public-sector employees engaged in these activities, are expected to have enforcement policies and procedures in place for their cargo gear standards and certification which are at least as effective as those in this instruction. All States with OSHA-approved State Plans cover State and local government employees, including any public-sector employees that may be engaged in maritime activities; only [California](#), [Minnesota](#), [Vermont](#) and [Washington](#) cover private-sector shore-side operations for shipyard employment and marine terminals. (See [29 CFR Part 1952](#), *Approved State Plans for Enforcement of State Standards*).
- States with private- or public-sector maritime employees within their jurisdiction are required to notify OSHA within 60 days whether they intend to adopt policies and procedures identical to those in this instruction or adopt or maintain different policies and procedures. States without any private- or public-sector maritime employment should indicate this in their response.
- If a State adopts or maintains policies and procedures that differ from federal policies and procedures, the State must identify the differences and may either post its policy on its website and provide the link to OSHA or submit an electronic copy to OSHA with information on how the public may obtain a copy. If a State adopts policies and procedures that are identical to federal policies and procedures, the State must provide the date of adoption to OSHA. State adoption must be accomplished within 6 months, with posting or submission of documentation within 60 days of adoption. OSHA will provide summary information on the State response to this instruction on its website at www.osha.gov/dcsp/osp/index.html.
- VIII. Action Information.
- A. Responsible Office. Directorate of Enforcement Programs (DEP), Office of Maritime Enforcement (OME).
 - B. Action Offices. OSHA Regional Administrators, Area Directors, State Plan Designees and National Office Directors must ensure that the policies and procedures set forth in this instruction are followed.

Regional Administrators also must ensure that Consultation Program Managers in their

regions are informed of the requirements of this instruction and encourage the involvement of On-site Consultation Projects in maritime industry employment.

- IX. Federal Agencies. This instruction describes a change that may affect federal agencies. It is the responsibility of the head of each federal agency to establish and maintain an effective and comprehensive safety and health program. [Executive Order 12196, Section 1-201](#) and [29 CFR 1960.16](#) requires federal agencies to adopt policies and procedures necessary to provide a level of protection equivalent to that provided by OSHA standards and regulations.
- X. Definitions.
- A. Accredited Agency: A person or organization approved by the U.S. Department of Labor (OSHA) under the provisions of [29 CFR Part 1919 Gear Certification](#), for the purpose of certificating a vessel's cargo gear and/or shore-based material handling devices used to handle cargo.
- B. Bulk Cargo Spout: A spout which may or may not be telescopic and may or may not have removable sections, but is suspended over the vessel from some overhead structure by wire rope or other means. Such a spout is often used with a "thrower" or "trimming machine". A grain loading spout is an example of those covered by this definition. [[29 CFR 1919.2\(c\)\(3\)](#)]
- C. Bulk Cargo Sucker: A pneumatic conveyor which utilizes a spoutlike device, which may be adjustable vertically and/or laterally, and which is suspended over a vessel from some overhead structure by wire rope or other means. An example of an installation of this nature is the "grain sucker" used to discharge grain from barges. [[29 CFR 1919.2\(c\)\(4\)](#)]
- D. Cargo Handling: The transfer or movement of cargo into, in, on, or out of a vessel, or within a marine terminal.
- E. Commercial Fishing Industry Vessel: A fishing vessel, fish tender vessel, or a fish processing vessel. [[46 CFR 28.50](#)]
- F. Crane: A mechanical device, intended for lifting or lowering a load and moving it horizontally, in which the hoisting mechanism is an integral part of the machine. A crane may be a fixed or mobile machine. [[29 CFR 1919.2\(c\)\(2\)](#)]
- G. Derrick: When applied to vessels' cargo handling gear, a mechanical device for lifting, including a boom which is suspended at its head by a topping lift from a mast, king post, or similar structure, controlled in the horizontal plane by vangs (guys), and used either singly or in pairs with married falls [[29 CFR 1919.2\(c\)\(1\)\(i\)](#)]. When applied to shore-based material handling devices, a mechanical device intended for lifting, with or without a boom supported at its head by a topping lift from a mast, fixed A-frame, or similar structure. The mast or equivalent member may or may not be supported by guys or braces. The boom, where fitted, may or may not be controlled in the horizontal plane by guys (vangs). The term includes shear legs. [[29 CFR 1919.2\(c\)\(1\)\(ii\)](#)]

- H. Designated Person: A person who possesses specialized abilities in a specific area and is assigned by the employer to perform a specific task in that area. [[29 CFR 1917.2](#)]
- I. Examination: As applied to material handling devices required by this part [1917] to be certificated, means a comprehensive survey consisting of the criteria outlined in 29 CFR 1919.71(d) as applicable to the type of gear or device. The examination is supplemented by a unit proof test in the case of a quadrennial survey. [[29 CFR 1917.2](#)]
- J. Fish Tender Vessel: A vessel that commercially supplies, stores, refrigerates, or transports fish, fish products, or materials directly related to fishing or the preparation of fish to or from a fishing, fish processing or fish tender vessel or a fish processing facility. [[46 CFR 28.50](#)]

NOTE: Cargo handling gear on a *Fish Tender Vessel* engaged in the *Aleutian Trade* is subject to inspection by the U.S. Coast Guard (See [Section XIII.3.f.](#)). *Aleutian Trade* is the transportation of cargo, including fishery related products, for hire on board a fish tender vessel to or from a place in Alaska west of 153 degrees West longitude and east of 172 degrees East longitude if that place receives weekly common carrier service by water, to or from a place in the United States, except a place in Alaska. [[46 CFR 28.50](#)]

- K. House Falls: Spans and supporting members, winches, blocks, and standing and running rigging forming part of a marine terminal and used with a vessel's cargo gear to load or unload by means of married falls. [[29 CFR 1917.2](#)]
- L. Inspected Vessel: A vessel subject to inspection by the U.S. Coast Guard under [46 U.S.C. 3301](#) and required to have a Certificate of Inspection (COI) issued by the U.S. Coast Guard.
- M. Inspection: As applied to material handling devices required to be certificated [devices used to handle cargo] under [29 CFR Part 1919](#), means a complete visual examination of all visible parts of the device. [[29 CFR 1917.2](#)]
- N. Longshoring Operations: The loading, unloading, moving, or handling of cargo, ship's stores, gear, or any other materials, into, in, on, or out of any vessel. [[29 CFR 1918.2](#)]
- O. Marine Terminal: Wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidating and loading or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas nor does the term include storage facilities directly associated with those production or manufacturing areas. [[29 CFR 1917.2](#)]

NOTE: Production or manufacturing areas and associated storage facilities are covered by general industry standards.

- P. *Nondestructive Examination*: The examination of a structure or parts by electronic, ultrasonic, or other nondestructive examination suitable for the purpose. [[29 CFR 1919.2\(i\)](#)]
- Q. *Ship Repair*: Any repair of a vessel including, but not restricted to, alterations, conversions, installations, cleaning, painting, and maintenance work. [[29 CFR 1915.4\(j\)](#)]
- R. *Shipbreaking*: Any breaking down of a vessel's structure for the purpose of scrapping the vessel, including the removal of gear, equipment or any component part of a vessel. [[29 CFR 1915.4\(l\)](#)]
- S. *Shipbuilding*: The construction of a vessel, including the installation of machinery and equipment. [[29 CFR 1915.4\(k\)](#)]
- T. *Shipyard Employment*: Ship repairing, shipbuilding, shipbreaking and related employments. [[29 CFR 1915.4\(i\)](#)]
- U. *Ship's Stores*: Materials that are aboard a vessel for the upkeep, maintenance, safety, operation, or navigation of the vessel, or for the safety or comfort of the vessel's passengers or crew. [[29 CFR 1917.2](#) and [1918.2](#)]
- V. *Shore-Based Cargo Handling Gear*: Material handling devices located shore-side that are used to move cargo to/from vessels or within a marine terminal and are required to meet the certification requirements of [29 CFR 1917.50](#). These devices include cranes, derricks, bulk cargo spouts and suckers, vertical pocket or bucket conveyors, house fall cargo-handling gear, special stevedoring gear, and spreaders. The certification requirements do not apply to small industrial crane trucks, small straddle trucks, and gear used only for handling or holding hoses, handling ship's stores, or handling gangways (See [29 CFR 1917.50\(j\)](#)).
- W. *Uninspected Vessel*: A vessel not subject to inspection by the U.S. Coast Guard under [46 U.S.C. 3301](#) and not a recreational vessel under [46 U.S.C. 2101](#).

NOTE: The term "uninspected barge" refers to a barge not subject to inspection by the U.S. Coast Guard under 46 U.S.C. 3301.

NOTE: A vessel classified as an "uninspected vessel" which is not an "uninspected commercial fishing industry vessel," (See [46 CFR Parts 24, 25, and 26](#)) is subject to U.S. Coast Guard inspection of the following areas only: safety checks of basic fire extinguishing and firefighting equipment; approved life jackets; lifesaving equipment; ventilation of engine bilges and fuel tank compartments; and backfire traps/flame arresters on inboard engine carburetors using gasoline as a fuel.

NOTE: Uninspected commercial fishing industry vessels are subject to [46 CFR Part 28](#), as well as 46 CFR Parts 24, 25, and 26. (See also Appendices A, B and C of [CPL 02-01-047](#), *OSHA Authority Over Vessels and Facilities on or Adjacent to U.S. Navigable Waters and the Outer Continental Shelf (OCS)*, February 22, 2010)

- X. Vessel: Every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, including special-purpose floating structures not primarily designed for or used as a means of transportation on water. [\[29 CFR 1919.2\(a\)\]](#)
- Y. Vessel's Cargo Handling Gear: Gear that is a permanent part of the vessel's equipment and used for the handling of cargo other than bulk liquids. The term covers all stationary or mobile cargo handling appliances used on board the ship for suspending, raising or lowering loads or moving them from one position to another while suspended or supported. This includes, but is not limited to, cargo elevators, forklifts, and other powered industrial equipment. It does not include gear used only for handling or holding hoses, handling ship's stores or handling gangways, or boom conveyor belt systems for the self-unloading of bulk cargo vessels. [\[29 CFR 1918.2\]](#)
- Z. Visibly Unsafe Gear: Gear or equipment which can be determined by visual means to have a condition which exposes, or potentially exposes, employees to a hazard during its use (e.g., safety device malfunctioning or missing; air or hydraulic system leaks; cracked or deformed hooks, pins, shackles; improper rope reeving; excessive sheave damage or wear; crane structure/boom dented, deformed, cracked, or excessively corroded; loose, missing, or excessively corroded bolts, rivets, or other connections; load indicating devices not installed when required; no load rating chart; operating controls not marked or improperly marked; safety guards removed; excessive broken wires, wear, corrosion or other visual defects in wire rope).
- XI. Application. This instruction applies OSHA-wide for the enforcement of cargo gear standards and the requirements for 29 CFR Part 1919 *Gear Certification* in the maritime industry (shipyard employment, marine terminals and longshoring operations). This instruction also applies to OSHA outreach efforts that include compliance assistance, cooperative programs, training, and education.
- Further, this instruction applies to all On-site Consultation Projects. Regardless of whether the worksite is under federal or State jurisdiction, 21(d)- and 23(g)-funded State Consultation Projects are required to prioritize and schedule On-site Consultation Services to private-sector employers. On-site consultation personnel are expected to provide safety and health program assistance, training, education, hazard identification and abatement assistance to employers at marine terminals, and those involved in longshoring and shipyard employment operations.
- XII. Background. In the 1960's, the gear certification standards (29 CFR Part 1919) were written to ensure that cargo handling gear on foreign vessels used to load and unload cargo in the United States would meet the criteria established under International Labour Organization (ILO) Convention No. 32, *Protection against Accidents (Dockers)*. In the 1970's, the gear certification standards were amended to include material handling devices and other types of equipment used on land in marine terminals to handle cargo. A new Convention, [ILO Convention No. 152](#), *Occupational Safety and Health (Dock Work)*, was adopted by the ILO in 1979. OSHA referred to the Convention No. 152 cargo gear requirements in [29 CFR 1918.11](#) (See *Longshoring and Marine Terminals*; Final Rule, [62 F.R. 40141](#)). Meeting the criteria of ILO Convention No. 152 ensures that cargo gear meets minimum certification and

examination requirements and is inspected regularly, regardless of what country the vessel is from. The OSHA longshoring standard, 29 CFR 1918.11 *Gear certification*, requires the form and content of vessel *Cargo Gear Registers* and supporting certificates to be in accordance with ILO Convention No. 152. Compliance is determined by reviewing the *Cargo Gear Registers* and documents and determining whether they are current and valid.

Shipyard cranes and derricks which are part of, or regularly placed aboard, barges, vessels, or on wingwalls of floating drydocks and are used to transfer materials or equipment from or to a vessel or drydock are covered by the gear certification requirements of 29 CFR 1915.115. Shore-based shipyard cranes and derricks are not required to be certificated (See [Section XIII.A.1.e](#)).

The [Standards Improvement Project-Phase III \(SIP-III\)](#) was the third in a series of rule makings to improve and streamline OSHA standards. The Standards Improvement Project removed or revised rules that were confusing, outdated, duplicative, or inconsistent. OSHA identified several requirements in 29 CFR Parts 1915, 1917, 1918, and 1919 that required improvement based on the Agency's review of existing standards, as well as suggestions and comments from the public and recommendations from the Office of Management and Budget (OMB).

This instruction introduces and describes OSHA's Web IMIS "Maritime Crane Application" that was initiated on January 1, 2009, to improve the efficiency and effectiveness of the maritime 29 CFR Part 1919 Gear Certification Program. This online database replaces the 4-part carbon OSHA Form 71 (Certificate of Unit Test and/or Examination of Crane, Derrick, or Other Material Handling Device) and OSHA Form 72 (Notice to Owner of Deficiencies Found on Certification Survey) with electronically generated forms that are maintained in the database. Further, this instruction provides detailed information and guidance to OSHA field offices regarding the utilization of OSHA's Web IMIS "Maritime Crane Application."

XIII. Guidelines and Procedures.

- A. Standards and the Responsibility for Compliance. The OSHA standards that require the certification of cargo handling gear aboard vessels, shore-based material handling devices used to handle cargo, and special stevedoring gear are to be enforced as promulgated and apply only to the lifting devices named, and under the conditions stated, in the standards. Regardless of whether an employer owns a piece of equipment which requires certification, the employer whose employees use such equipment may use it only if the equipment has a current and valid certification.

The standards listed in the following paragraphs are enforced by OSHA. Agencies accredited by OSHA, the U.S. Coast Guard, or foreign countries, as appropriate, carry out their certification functions in accordance with [29 CFR Part 1919](#) or other rules acceptable to OSHA (e.g., [U.S. Coast Guard](#) standards, ILO Convention No.152). There are four States that enforce shore-based maritime safety and health standards – Minnesota, Vermont, California and Washington State (See [29 CFR Part 1952](#)).

1. Shipyard Employment.

OSHA standard [29 CFR 1915.115\(a\)\(1\)](#) requires the certification of cranes and derricks that are part of, or regularly placed aboard, barges or other vessels, or on the wingwalls of floating drydocks, and are used to transfer materials or equipment to or from a vessel or drydock.

- a. U.S.-flag vessels with a current and valid [Certificate of Inspection](#) (COI) issued by the U.S. Coast Guard (i.e., inspected vessels) meet the cargo handling gear certification requirements. Vessels with a current and valid *Cargo Gear Register* (ILO Form 1) also meet these requirements, as a matter of policy.
- b. Foreign-flag vessels must have cargo handling gear, including cranes and derricks, thoroughly examined and tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and retested at least every 5 years in accordance with [ILO Convention No. 152](#) requirements, in order for shipyard employers to use that gear. The results of the tests and examinations for cargo handling gear, including cranes and derricks, are recorded in a *Cargo Gear Register* ([ILO Form 1](#)) and supporting documents which are maintained aboard the vessel.
- c. Uninspected barges with permanently installed cranes and derricks that are used to support [29 CFR 1915.115\(a\)\(1\)](#) functions must be certified by an OSHA Part 1919 Accredited Agency accredited for “Full-Function Vessels” or “Floating Cranes and Derricks.” All such cranes and derricks must be thoroughly examined and load tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and proof-load tested every 4 years in accordance with [29 CFR Part 1919](#) requirements.

NOTE: [29 CFR 1919.12\(g\)](#) states, “In cases where derricks, spouts, suckers, or cranes are mounted permanently aboard barges which remain in domestic inland waters service, the certification documentation shall comply with the provisions of [29 CFR 1919.90](#).” (Documented with an OSHA Form 71)

- d. Uninspected barges with shore-type cranes (such as mobile cranes) that are permanently mounted and used to support [29 CFR 1915.115\(a\)\(1\)](#) functions, must be certified by an OSHA Part 1919 Accredited Agency accredited for “Full-Function Vessels” or “Floating Cranes and Derricks.” These cranes must be thoroughly examined and load tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and proof-load tested every 4 years in accordance with [29 CFR Part 1919](#) requirements. Particular attention for these inspections must be given to [29 CFR 1919.28\(e\)](#), which requires the examination and testing of the crane to comply with 29 CFR Part 1919, [Subpart H](#) requirements, and [29 CFR 1919.29](#) which addresses stability and structural competence of the barge or vessel.

NOTE: [29 CFR 1919.28\(e\)](#) states, “In cases where shore-type cranes are mounted permanently aboard barges, the requirements of this [Subpart E](#) with respect to unit proof tests and examinations shall not apply and the applicable

requirements of [Subpart H](#) of this part shall be adhered to with respect to unit proof tests and examinations.” (Documented with an OSHA Form 71)

- e. Shore-based cranes and derricks located at a shipyard facility are covered by the [29 CFR Part 1910](#) standards; [29 CFR 1915.115\(a\)\(1\)](#) does not require them to be inspected, tested and certified in accordance with the standards provided in [29 CFR Part 1919](#). However, certification of such cranes and derricks by an OSHA Part 1919 Accredited Agency is permitted and encouraged. Compliance Safety and Health Officers (CSHOs) will continue to promote the maritime certification program for shore-based cranes and derricks in use at shipyard facilities. Employers covered by [29 CFR Part 1915](#) that have effective safety and health management systems and voluntarily certificate shore-based cranes and derricks used at shipyard facilities, may be permitted a “good faith” reduction, if such employer is issued a citation for violations of other standards (See [CPL 02-00-150](#), Field Operations Manual (FOM), Chapter 6, Section III.B.3.b.).

2. Marine Terminals.

Shore-based material handling devices used to load/discharge vessels and move cargo within marine terminals are required by [29 CFR 1917.50](#) to be certified. The examination, testing, and certification of these devices must be performed in accordance with the standards provided in 29 CFR Part 1919, [Subparts G and H](#). The employer must not use any cargo handling device that is required to be certified by [29 CFR 1917.50](#) unless a valid certificate (OSHA Form 71) has been issued. Additional requirements for cranes and derricks used in marine terminals are addressed by [29 CFR 1917.45](#) (cranes and derricks) and [29 CFR 1917.46](#) (load indicating devices (LIDs)).

Pursuant to 1917.1, all cargo transfer accomplished with the use of shore-based material handling devices shall be regulated by Part 1917. Additionally, per 1917.50, all lifting devices used to transfer cargo require certification except for the cargo handling equipment specified in 1917.50(j) *Exceptions* (See Section XIII.A.2.e. below). Material handling devices at a marine terminal which are used exclusively for purposes other than the movement/handling of cargo (e.g., overhead cranes used in repair shops for maintenance, and cranes and derricks engaged in construction projects) are not required to be certified pursuant to 1917.50 and 29 CFR Part 1919.

The following shore-based material handling devices require 29 CFR Part 1919 *Gear Certification*:

- a. Shore-based cranes and derricks used to handle cargo are required by [29 CFR 1917.50\(b\) and \(c\)\(1\)](#) to be thoroughly examined and proof-load tested before being put into service (initial examination and proof-load test), thoroughly examined every 12 months (annual examination), and thoroughly examined and proof-load tested every 4 years (quadrennial examination and proof-load test). Also, shore-based cranes and derricks are required to be thoroughly examined and proof-load tested after important alterations and renewals, and after repairs

due to failure of, or damage to, major components. These examinations and testing are conducted by an OSHA Part 1919 Accredited Agency.

- b. Shore-based bulk cargo spouts and suckers, and vertical pocket or bucket conveyors are required by [29 CFR 1917.50\(c\)\(2\) and \(3\)](#) to be thoroughly examined and annually certificated, but not to be proof-load tested. These examinations are conducted by an OSHA Part 1919 Accredited Agency.
- c. Shore-based house fall cargo-handling gear is required by [29 CFR 1917.50\(c\)\(4\)](#) to be thoroughly examined annually and proof-load tested as a unit to 125% of the rated Safe Working Load (SWL) upon initial certification and every four years thereafter. These examinations and testing are conducted by an OSHA Part 1919 Accredited Agency.
- d. Special stevedoring gear, intermodal container spreaders, and loose gear and wire rope used with certified shore-based material handling devices must be inspected and tested in accordance with [29 CFR 1917.50\(c\)\(5\) and 1917.50\(c\)\(6\)](#) and [Appendix I of 29 CFR Part 1917](#) as follows:
 - Special stevedoring gear, the strength of which depends upon components other than commonly used stock items such as shackles, ropes, or chains, and that has a Safe Working Load (SWL) greater than 5 short tons (10,000 pounds or 4.54 metric tons) must be inspected and proof-load tested as a unit before initial use and prior to reuse after structural damage necessitating repair by an OSHA Part 1919 Accredited Agency, and thereafter, inspected and proof-load tested every four years by an OSHA Part 1919 Accredited Agency or Designated Person (See 1917.50(c)(5)(i) and Appendix I of Part 1917).
 - Special stevedoring gear that has a SWL of 5 short tons (10,000 pounds or 4.54 metric tons) or less must be inspected and proof-load tested as a unit before initial use by an OSHA Part 1919 Accredited Agency or Designated Person (See 1917.50(c)(5)(ii) and Appendix I of Part 1917).
 - Intermodal container handling spreaders not part of the ship's gear must be inspected and proof-load tested by an OSHA Part 1919 Accredited Agency before initial use, and prior to reuse after a damaged spreader has been repaired; and thereafter, inspected and proof-load tested every four years by an OSHA Part 1919 Accredited Agency or Designated Person (See 1917.50(c)(5)(iii) and Appendix I of Part 1917).
 - Loose gear and wire rope obtained after October 3, 1983 must be tested and certificated by the manufacturer (a wire rope test certificate is acceptable for wire rope) or accepted by an OSHA Part 1919 Accredited Agency before being placed in service (See 1917.50(c)(6), 1919.31, 1919.32 and 1919.33).

NOTE: The manufacturer can test and certify loose gear and wire rope unless disapproved by the OSHA Assistant Secretary (See 1919.37).

e. Exceptions. The certification requirements of [29 CFR 1917.50](#) do not apply to the following equipment (See [29 CFR 1917.50\(j\)](#)):

- Small industrial crane trucks, as described below, and powered industrial trucks.

NOTE: Small industrial crane trucks described on page 8 and illustrated on page 13 of the American Society of Mechanical Engineers, ASME B56.1, 1959, “Safety Code for Powered Industrial Trucks” (See 1917.50(j)(1)).

- Any straddle truck not capable of straddling two or more intermodal containers 16 feet (4.88 m) in width (See 1917.50(j)(2)).
- Gear used only for handling or holding hoses, handling ship’s stores or handling gangways (See 1917.50(j)(3) and 1917.2 *Ship’s stores*).

3. Longshoring.

OSHA standard [29 CFR 1918.11](#) prohibits employers from using a vessel’s cargo handling gear until they ascertain that the vessel has documentation showing that the cargo gear has been tested, examined and heat treated by competent persons or organizations. The employer whose employees use vessel’s cargo handling gear may use it only if it has a current and valid certification, regardless of whether or not the employer owns the piece of equipment (i.e., regardless of ownership, it is the employer’s responsibility to verify that the cargo handling gear has a current and valid certification prior to employee use of the equipment). Public vessels are deemed to meet the gear certification requirements per 1918.11(b). The following table provides a summary of vessel types, applicable standards, documentation requirements, and reference paragraphs in this instruction.

Vessel Type	OSHA Standard	Documentation	Reference
Public Vessel	1918.11(b)	Deemed to comply	XIII.C.1
U.S. Inspected Vessel	1918.11(b)	Coast Guard Certificate of Inspection (COI) or Cargo Gear Register	XIII.A.3.a.
Foreign-flag Vessel	1918.11(d)	Cargo Gear Register – 5 year test cycle	XIII.A.3.b.
Uninspected Vessel (full-function)	1918.11(c)	Cargo Gear Register – 5 year test cycle	XIII.A.3.c.
Uninspected Barge* (permanent gear)	1918.11(c) [See 1919.12(g)]	OSHA 71 – 4 year test cycle	XIII.A.3.d.
Uninspected Barge* (shore-type/mobile gear)	1918.11(c) [See 1919.28(e)]	OSHA 71 – 4 year test cycle	XIII.A.3.e.
Commercial Fishing Industry Vessel	1918.11(c)	Cargo Gear Register – 5 year test cycle	XIII.A.3.f.

*1918.2 – ***Barge*** means an unpowered, flatbottomed, shallow draft vessel including river barges, scows, carfloats, and lighters. It does not include ship shaped or deep

draft barges. [Note that a barge is unpowered (i.e., not self-propelled)]

- a. U.S.-flag vessels with a current and valid [Certificate of Inspection](#) (COI) issued by the U.S. Coast Guard (i.e., inspected vessels) and/or a current and valid *Cargo Gear Register* ([ILO Form 1](#)) with supporting documentation, meet the cargo handling gear certification requirements.
- b. Foreign-flag vessels must have cargo handling gear, including cranes and derricks, thoroughly examined and tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and retested at least every 5 years in accordance with [ILO Convention No. 152](#) requirements, in order for longshoremen to use the gear. The results of the tests and examinations for cargo handling gear, including cranes and derricks, are recorded in a *Cargo Gear Register* ([ILO Form 1](#)) and supporting documents which are maintained aboard the vessel.

NOTE: OSHA rules require compliance with [ILO Convention No. 152](#), regardless of whether the vessel's flag country is a signatory to the ILO Convention.

- c. Uninspected vessels with permanently installed cranes and derricks that are used to support [29 CFR 1918.11](#) functions must be certified by an OSHA Part 1919 Accredited Agency that is accredited for "Full-Function Vessels" or "Loose Gear and Wire Rope" as appropriate. All such cranes and derricks permanently installed on uninspected vessels must be thoroughly examined and load tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and proof-load tested every 5 years in accordance with [29 CFR Part 1919](#) requirements. Entries in the *Cargo Gear Register* and supporting documentation shall comply in form and content with [ILO Convention No. 152](#).
- d. Uninspected barges with permanently installed cranes and derricks that remain in domestic inland waters and are used to support [29 CFR 1918.11](#) functions are covered by [29 CFR 1919.12\(g\)](#). Although uninspected "barges" (See 1918.2 *Definitions*) are vessels and thus 29 CFR 1918.11 applies to them, OSHA allows the use of cargo gear on uninspected barges that are certified by Part 1919 agencies accredited for "Floating Cranes and Derricks" (these agencies are qualified to perform cargo gear certifications for "barges" as defined by 1918.2). 29 CFR 1919.12(g) states, "In cases where derricks, spouts, suckers, or cranes are mounted permanently aboard barges which remain in domestic inland waters service, the certification documentation shall comply with the provisions of [29 CFR 1919.90](#) of this part." All such cranes and derricks must be thoroughly examined and load tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and proof-load tested every 4 years in accordance with [29 CFR Part 1919](#) requirements. Examinations and tests of cranes, derricks and barges must be performed by a OSHA Part 1919 Accredited Agency that is accredited for "Full-Function Vessels" or "Floating Cranes and Derricks." Associated examination and testing of loose gear and wire rope may be performed by an OSHA Part 1919 Accredited Agency that is

accredited for “Loose Gear and Wire Rope.” Compliance documentation required by 1919.90 is an OSHA Form 71.

- e. Uninspected barges with shore-type/mobile cranes that are used to support 29 CFR 1918.11 functions may be certified by a “Floating Crane and Derrick” accredited agency, as explained in paragraph (d) above. These barges are covered by [29 CFR 1919.28\(e\)](#) which states, “In cases where shore-type cranes are mounted permanently aboard barges, the requirements of this [Subpart E](#) with respect to unit proof tests and examinations shall not apply and the applicable requirements of [Subpart H](#) of this part shall be adhered to with respect to unit proof tests and examinations” (documented with an OSHA Form 71). These cranes must be thoroughly examined and load tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and proof-load tested every 4 years in accordance with [29 CFR Part 1919](#) requirements. Particular attention for these inspections must be given to [29 CFR 1919.28\(e\)](#), which requires the examination and testing of the crane to comply with 29 CFR Part 1919, [Subpart H](#) requirements, and [29 CFR 1919.29](#) which addresses stability and structural competence of the barge or vessel. Examinations and tests of cranes, derricks and barges must be performed by an OSHA Part 1919 Accredited Agency that is accredited for “Full-Function Vessels” or “Floating Cranes and Derricks.” Associated examination and testing of loose gear and wire rope may be performed by an OSHA Part 1919 Accredited Agency that is accredited for “Loose Gear and Wire Rope.” Again, required compliance documentation is an OSHA Form 71.
- f. Commercial fishing industry vessels (fishing vessels, fish tenders, and fish processors) generally are uninspected; they do not have a Certificate of Inspection (COI) issued by the U.S. Coast Guard (See 46 CFR Part 28). Currently, the U.S. Coast Guard classifies only one fish processor (F/V Phoenix Enterprise) as an inspected vessel requiring a COI, making it compliant with OSHA’s 29 CFR Part 1919 *Gear Certification* requirements. In addition, as a matter of policy, cargo handling devices on certain fish tender vessels engaged in the Aleutian trade are not subject to OSHA 29 CFR Part 1919 *Gear Certification* requirements (See Subpart G of 46 CFR Part 28). The scope provision for this subpart provides: “(a) This subpart applies to each fish tender vessel engaged in the Aleutian trade that has not undergone a major conversion and: (1) Was operated in Aleutian trade before September 8, 1990; or (2) Was purchased to be used in the Aleutian trade before September 8, 1990, and entered into service in the Aleutian trade before June 1, 1992” (referred to below as “ATA fish tenders”). 46 CFR 28.800

ATA fish tenders are examined and tested under U.S. Coast Guard requirements (See 46 CFR 28.885). At least once every two years the lifting gear on each ATA fish tender must be examined and tested for compliance with [46 CFR 28.885](#) by competent personnel. When the examination and testing of ATA fish tender lifting gear is successfully completed, all results and notations together with the date and location of each shall be maintained and available to Coast Guard

representatives upon request. Deficiencies or complaints regarding lifting gear on ATA fish tenders shall be referred to the U.S. Coast Guard for action.

All other commercial fishing industry vessels are subject to OSHA's 29 CFR Part 1919 *Gear Certification* requirements if the gear is used to transfer cargo (including fish, crabs, etc.) from vessel to vessel or from a vessel to shore (gear used only to catch fish or set traps, for example, is not subject to these requirements). Vessels subject to OSHA requirements must have gear, including cranes and derricks, thoroughly examined and tested before being put into service initially, thoroughly examined every 12 months, and thoroughly examined and retested at least every 5 years in accordance with [ILO Convention No. 152](#) requirements. These examinations and tests must be performed by an OSHA Part 1919 Accredited Agency that is accredited for "Full-Function Vessels" (See 1918.11(c)). The results of the tests and examinations are recorded in a *Cargo Gear Register* ([ILO Form 1](#)) and supporting documents which are maintained aboard the vessel.

- g. Special stevedoring gear, intermodal container spreaders, and loose gear and wire rope that are provided by an employer and used aboard ship need to be tested in accordance with [29 CFR 1918.61](#) and [Appendix IV of 29 CFR Part 1918](#) as follows:
- Special stevedoring gear, the strength of which depends upon components other than commonly used stock items such as shackles, ropes, or chains, and that has a Safe Working Load (SWL) greater than 5 short tons (10,000 pounds or 4.54 metric tons) must be inspected and proof-load tested as a unit before initial use and prior to reuse after structural damage necessitating repair by an OSHA Part 1919 Accredited Agency, and thereafter, inspected and proof-load tested every four years by an OSHA Part 1919 Accredited Agency or Designated Person (See 1918.61(f)(1), 1918.61(h) and Appendix IV of Part 1918).
 - Special stevedoring gear that has a SWL of 5 short tons (10,000 pounds or 4.54 metric tons) or less must be inspected and proof-load tested as a unit before initial use by an OSHA Part 1919 Accredited Agency or Designated Person (See 1918.61(f)(2)).
 - Intermodal container handling spreaders not part of the ship's gear must be inspected and proof-load tested before initial use, and prior to reuse after a damaged spreader has been repaired, by an OSHA Part 1919 Accredited Agency; and thereafter, inspected and proof-load tested every four years by an OSHA Part 1919 Accredited Agency or Designated Person (See 1918.61(g)).
- h. Equipment that is not permanent vessel equipment. Cranes and derricks brought aboard vessels, which are not part of a vessel's permanent equipment, are subject to 29 CFR 1918.66. They shall be certificated in accordance with Subparts G and H of 29 CFR Part 1919.

B. Accredited Agencies. [29 CFR Part 1919](#) provides procedures and standards governing the accreditation of agencies by OSHA to conduct 29 CFR Part 1919 *Gear Certification* functions. The standard also covers the manner in which such gear certifications will be performed. The nature of the OSHA Part 1919 Accredited Agency services will sometimes require limited, controlled exposure to hazards when conducting required examination, testing and certification pursuant to [29 CFR Part 1919](#). Citations will not be issued to the accrediting agency for such limited, controlled employee exposures. However, if the omissions or failures of the OSHA Part 1919 Accredited Agency result, or could potentially result, in an accident or injury to an employee, then the OSHA Part 1919 Accredited Agency may be cited in accordance with OSHA's multi-employer worksite policy. Citations proposed for an OSHA Part 1919 Accredited Agency performing [29 CFR Part 1919](#) duties require the review and approval of the Director of the Directorate of Enforcement Programs. When employees of an OSHA Part 1919 Accredited Agency are exposed to safety and/or health hazards that are unrelated to the certification of these devices under the maritime standards, then the OSHA Part 1919 Accredited Agency (employer) is subject to citation under the appropriate standards.

C. Special Shipboard Circumstances.

1. Public Vessels, [29 CFR 1918.11](#). Public vessels are deemed to meet the gear certification requirements.
2. Visibly Unsafe Gear, [29 CFR 1915.115\(a\)\(1\)](#), [29 CFR 1918.11](#) and [29 CFR Part 1918, Subparts F and G](#). When employees of various employers subject to OSHA standards are exposed or potentially exposed to safety and/or health hazards from visibly unsafe gear, citations for violations will be issued to each employer using the appropriate standard.
 - a. Foreign-flag vessels are required to comply with ILO 152 cargo gear requirements in order for the gear to be used. CSHOs must examine the *Cargo Gear Register* and supporting documents to establish that they are current and valid. Citations for violations of [29 CFR 1915.115\(a\)\(1\) Derrick and crane certification](#), [29 CFR 1918.11 Gear certification](#), [29 CFR Part 1918, Subpart F Vessel's Cargo Handling Gear](#), and [29 CFR Part 1918, Subpart G Cargo Handling Gear and Equipment Other Than Ship's Gear](#) will be issued to each individual employer covered by the Act (such as a stevedoring or shipyard employer) whose employees (who are not seaman) are exposed to the hazards involved. No citations will be issued to the vessel owner and/or operator by OSHA because of Supreme Court precedent exempting owners and operators of foreign-flag vessels from United States Labor Law.
 - b. U.S.-flag vessels with a current and valid [Certificate of Inspection](#) (COI) issued by the U.S. Coast Guard (i.e., inspected vessels) and/or a current and valid *Cargo Gear Register* (ILO Form 1) with supporting documentation, meet the cargo handling gear certification requirements. Citations for violations of [29 CFR 1915.115\(a\)\(1\) Derrick and crane certification](#), [29 CFR 1918.11 Gear certification](#), [29 CFR Part 1918, Subpart F Vessel's Cargo Handling Gear](#), and [29 CFR Part 1918, Subpart G Cargo Handling Gear and Equipment Other Than](#)

Ship's Gear, will be issued to each stevedoring or shipyard employer whose employees (who are not seamen) are exposed to the hazards involved:

- Citations for violations of [29 CFR 1915.115\(a\)\(1\)](#) and [29 CFR Part 1918](#) will not be issued to the vessel owner and/or operator as their seamen are covered by the U.S. Coast Guard, [46 CFR 91.27](#). However, notification of any violations observed will be provided to the nearest U.S. Coast Guard Office (See [U.S.C.G. Directory](#)).
- Citations for violations of 29 CFR Part 1918, Subparts F and G will not be issued to the vessel owner and/or operator, where the employees employed by the vessel owner and/or operator are seamen, or where the U.S. Coast Guard has standards applicable to the working conditions involved, but OSHA will notify the nearest U.S. Coast Guard Office. However, citations for violations of [29 CFR Part 1918, Subpart F](#) will be issued to any employer other than the vessel owner and/or operator since U.S. Coast Guard standards do not apply to these employers. CSHOs must be aware that an invalid *Cargo Gear Register* alone is not cause to issue a citation; covered employees also must be exposed to hazards when cargo gear is in use.

D. Change of Flag of Certificated Vessels (e.g., U.S. inspected vessels and foreign-flag vessels subject to [ILO Convention No. 152](#)).

1. A vessel's nationality is determined by the flag it flies. The flag represents the country in which the vessel is registered.
2. A vessel's cargo gear certification is current when it meets the criteria listed in [Section XIII.A.1.](#) or [Section XIII.A.3.](#) of this instruction.
3. A vessel's cargo gear certification is valid when the vessel has a current *Cargo Gear Register* and supporting certificates in accordance with [ILO Convention No. 152](#) that are issued by a cargo gear certification agency recognized by the country in which the vessel is registered (e.g., International Cargo Gear Bureau, American Bureau of Shipping, Lloyds Register of Shipping, National Cargo Bureau, Det Norske Veritas, Bureau Veritas, Registro Italiano, Nippon Kaiji Kyokai). Examples of the national laws and regulations governing cargo gear certification agencies are: British Factories Act; Canadian Tackle Regulations; Israel Factories (Docks) Rules; [U.S. Coast Guard Regulations](#); and [29 CFR Part 1919](#).
4. When a vessel is certified initially under the rules of one country, but then changes its flag, the original country loses authority over the certification. In this case, if the certification is otherwise current and the vessel's cargo gear appears to be visibly safe, an employer that uses the gear will be considered in compliance. The vessel's owner should be informed to obtain certification under the rules of the new country of registry at the next annual or five-year survey due date, whichever is sooner.

E. Documentation of Maritime Certifications.

1. Shore-Based Material Handling Devices. Documents attesting to shore-based cargo gear certification surveys and examinations must be issued by an OSHA Part 1919 Accredited Agency with an accreditation for “Shore-Based Material Handling Devices” or “All Functions” (includes shore-based devices) on the following forms:

- a. OSHA Form 71, “Certificate of Unit Test and/or Examination of Crane, Derrick or Other Material Handling Device.”

For shore-based crane and derrick certification an OSHA Form 71 is current when the employer provides either: (1) an OSHA Form 71 for an examination and proof-load test that was issued within the last 12 months, or (2) an OSHA Form 71 for an examination and proof-load test that was issued within the last four years and an OSHA Form 71 for an annual examination that was issued within the last 12 months.

For shore-based bulk cargo spouts and suckers and vertical pocket or bucket conveyors, an OSHA Form 71 must have been issued within the last 12 months. These devices are not required to be proof-load tested, but are required by [29 CFR 1917.50\(c\)\(2\) and \(3\)](#) to be thoroughly examined annually.

NOTE: [29 CFR 1917.46](#) generally requires load indicating devices (LIDs) or alternative devices for cranes used to move cargo at marine terminals. However, LIDs are not required for derricks. Cranes may be certified under [29 CFR Part 1919](#) regardless of whether they have a LID; under some conditions of use, as delineated by [29 CFR 1917.46\(a\)\(1\)\(viii\)](#), no LID is required. If no LID is fitted on the crane, the OSHA Part 1919 Accredited Agency can issue an OSHA Form 71, but it must indicate on the form (Block 7) that a LID was “not fitted.” If a LID is fitted on the crane, the LID must be operational, and the OSHA Part 1919 Accredited Agency must indicate on the OSHA Form 71 (Block 7) that a LID was “fitted” and note the “accuracy” of the LID. While it is the responsibility of the employer to comply with the requirements of [29 CFR 1917.46](#), OSHA recommends that the OSHA Part 1919 Accredited Agency advise the employer of cranes without a LID regarding the requirements and exemptions contained in [29 CFR 1917.46](#). If an OSHA Form 71 is issued for a crane with the LID marked “not fitted” and the crane is used by the employer in a manner that is not exempted by [29 CFR 1917.46\(a\)\(1\)\(viii\)](#), then the employer is subject to citation for lack of a LID when required.

NOTE: OSHA field offices can verify an OSHA Form 71 issued since January 1, 2009, by accessing OSHA’s Web IMIS “Maritime Crane Application.”

- b. OSHA Form 72, “Notice to Owner of Deficiencies Found on Certification Survey.”

In the event that a crane or derrick has deficiencies that remain uncorrected and certification is not issued, the OSHA Part 1919 Accredited Agency should issue an OSHA Form 72 to the owner prior to leaving the site where the crane is located. If unable to generate a Web IMIS electronic OSHA Form 72 before

leaving the inspection site, a typed or handwritten hard-copy may be signed and issued. Once the OSHA Form 72 is approved by the OSHA Part 1919 Accredited Agency via the Web IMIS “Maritime Crane Application,” the Web IMIS generated OSHA Form 72 will be printed, then signed and delivered to the owner. When the Web IMIS OSHA Form 72 is approved by the Signatory Authority, it is immediately available in the Web IMIS database to OSHA national, regional, and area offices.

When an owner receives an OSHA Form 72, correction of all deficiencies noted must be accomplished to the satisfaction of the OSHA Part 1919 Accredited Agency before an OSHA Form 71 can be issued (or reissued) and the equipment put into maritime use.

NOTE: It is the Area Director’s responsibility to take appropriate steps to ensure that cranes or derricks with an expired OSHA Form 71 or an OSHA Form 72 that has uncorrected deficiencies are not being used in maritime operations.

2. Special Stevedoring Gear, Spreaders, Loose Gear and Wire Rope. Documents attesting to examinations and testing of special stevedoring gear, intermodal container handling spreaders, and loose gear and wire rope must be issued as follows:

- a. For special stevedoring gear that has a SWL greater than 5 short tons (10,000 pounds or 4.54 metric tons), documentation is valid when the owner provides: (1) an OSHA Form 71 for initial gear inspection and proof-load testing, or proof-load testing after structural damage necessitating repair, and (2) a record of inspection and proof-load tests every four years after the most current OSHA Form 71 issued. The initial certification can be issued by the manufacturer.

NOTE: The OSHA Part 1919 Accredited Agency must be accredited for “Shore-Based Material Handling Devices,” “Floating Cranes and Derricks,” “Full-Function Vessels,” “Loose Gear and Wire Rope Testing” or “All Functions” as appropriate. The record of inspection and proof-load testing required every four years after the initial OSHA Form 71, can be issued by an OSHA Part 1919 Accredited Agency or Designated Person.

- b. For special stevedoring gear that has a SWL of 5 short tons (10,000 pounds or 4.54 metric tons) or less, documentation is valid when the owner provides any form or record issued before the gear’s initial use by an OSHA Part 1919 Accredited Agency or Designated Person.

NOTE: The OSHA Part 1919 Accredited Agency must be accredited for “Shore-Based Material Handling Devices,” “Floating Cranes and Derricks,” “Full-Function Vessels,” “Loose Gear and Wire Rope Testing” or “All Functions” as appropriate. The initial “Loose Gear and Wire Rope Testing” certification can be issued by the manufacturer.

- c. For intermodal container handling spreaders, documentation is valid when the owner provides: (1) an OSHA Form 71 for initial spreader inspection and proof-

load testing, or proof-load testing after structural damage necessitates repair, and (2) a record of inspection and proof-load tests every four years after the initial OSHA Form 71 was issued.

NOTE: The OSHA Part 1919 Accredited Agency must be accredited for “Shore-Based Material Handling Devices,” “Floating Cranes and Derricks,” “Full-Function Vessels,” “Loose Gear and Wire Rope Testing,” or “All Functions” as appropriate. The record of inspection and proof-load testing required every four years after the initial OSHA Form 71 can be issued by an OSHA Part 1919 Accredited Agency or Designated Person. The initial certification also can be issued by the intermodal spreader manufacturer.

- d. Loose gear and wire rope obtained after October 3, 1983 and used at a marine terminal ([29 CFR 1917.50\(c\)\(6\)](#)) must be documented on a certificate issued by the manufacturer (a wire rope test certificate is acceptable for wire rope), or on a certificate (not an OSHA Form 71) issued by an OSHA Part 1919 Accredited Agency.

NOTE: The certificate must be issued by an OSHA Part 1919 Accredited Agency that is accredited for “Loose Gear and Wire Rope Testing” or “All Functions.”

3. Vessels Cargo Gear. Pursuant to 29 CFR Part 1918.11, documents attesting to gear certification surveys and examinations on vessels can be issued by persons or agencies accredited by OSHA, approved by the U.S. Coast Guard, or accepted by foreign countries, as appropriate. These persons or agencies must carry out their certification functions as required by [29 CFR Part 1919](#), the U.S. Coast Guard, or the rules of foreign countries in compliance with [ILO Convention No. 152](#), as appropriate.

- a. Uninspected Vessels. Documents attesting to vessel’s cargo gear certification surveys and examinations performed by an OSHA Part 1919 Accredited Agency are issued on the following forms:

- *Cargo Gear Register* (ILO Form 1) and supporting certificates (See Appendix I of Part 1918) are issued on **vessels** which are self-propelled but classified by the U.S. Coast Guard as “uninspected vessels” or “commercial uninspected fishing industry vessels.”

NOTE: A *Cargo Gear Register* for vessels gear certification must be issued by an OSHA Part 1919 Accredited Agency that is approved for “Full-Function Vessels” or “All Functions” (which includes Full-Function Vessels).

- OSHA Form 71, “Certificate of Unit Test and/or Examination of Crane, Derrick or Other Material Handling Device” is issued for uninspected **barges** as delineated in 1919.12(g) and 1919.28(e). The certification forms are current when the employer has either: (1) an OSHA Form 71 for a quadrennial examination and proof load test that was issued within the last 12

months, or (2) an OSHA Form 71 for a quadrennial examination and proof-load test that was issued within the last four years, and an OSHA Form 71 for an annual examination that was issued within the last 12 months.

NOTE: An OSHA Form 71 for uninspected barges as delineated in 1919.12(g) and 1919.28(e) must be issued by an OSHA Part 1919 Accredited Agency that is approved for “Floating Cranes and Derricks” or “Full-Function Vessels,” or “All Functions” (which includes Full-Function Vessels and Floating Cranes and Derricks).

NOTE: [29 CFR 1918.66\(f\)](#) generally requires load indicating devices (LIDs) or alternative devices for cranes placed aboard vessels (not cranes that are a permanent part of the vessel) used in longshoring operations. However, LIDs are not required for derricks. Cranes may be certified under [29 CFR Part 1919](#) regardless of whether they have a LID; under some conditions of use, as delineated by [29 CFR 1918.66\(f\)\(1\)\(viii\)](#), no LID is required. If no LID is fitted on the crane, the OSHA Part 1919 Accredited Agency can issue an OSHA Form 71, but must indicate on the form (Block 7) that a LID was “not fitted.” If a LID is fitted on the crane, the LID must be operational, and the OSHA Part 1919 Accredited Agency must indicate on the OSHA Form 71 (Block 7) that a LID was “fitted” and note the “accuracy” of the LID. While it is the responsibility of the employer to comply with the requirements of [29 CFR 1918.66\(f\)](#), OSHA recommends that the OSHA Part 1919 Accredited Agency advise the employer of cranes without a LID regarding the requirements and exemptions contained in [29 CFR 1918.66\(f\)](#). If an OSHA Form 71 is issued for a crane with the LID marked “not fitted” and the crane is used by the employer in a manner that is not exempted by [29 CFR 1918.66\(f\)\(1\)\(viii\)](#), then the employer is subject to citation for lack of a LID when required.

- OSHA Form 72, “Notice to Owner of Deficiencies Found on Certification Survey.”

In the event that a crane or derrick has deficiencies that remain uncorrected and certification is not issued, the OSHA Part 1919 Accredited Agency should issue an OSHA Form 72 to the owner prior to leaving the site where the crane is located. If unable to generate a Web IMIS electronic OSHA Form 72 before leaving the inspection site, a typed or handwritten hard-copy may be signed and issued. Once the OSHA Form 72 is approved by the OSHA Part 1919 Accredited Agency via the Web IMIS “Maritime Crane Application,” the Web IMIS generated OSHA Form 72 will be printed, then signed and delivered to the owner. When the Web IMIS OSHA Form 72 is approved by the Signatory Authority, it is immediately available in the Web IMIS database to OSHA national, regional, and area offices.

When an owner receives an OSHA Form 72, correction of all deficiencies noted must be accomplished to the satisfaction of the OSHA Part 1919 Accredited Agency before an OSHA Form 71 can be issued (or reissued) and

the equipment put into maritime use.

NOTE: It is the Area Director's responsibility to take appropriate steps to ensure that cranes or derricks with an expired OSHA Form 71 or an OSHA Form 72 that has uncorrected deficiencies are not being used in maritime operations.

b. Inspected Vessels. Documents attesting to vessel cargo gear certification surveys and examinations for U.S.-flag vessels (i.e., inspected vessels) performed by the U.S. Coast Guard are issued as follows:

- Certificate of Inspection (COI). A U.S. Coast Guard inspection does not mean that gear certificates will be issued or that they will be aboard the vessel. Periodic U.S. Coast Guard inspections determine that the vessel is in all respects in conformity with the vessel inspection laws and include the cargo gear. Therefore, as far as U.S. Coast Guard documentation is concerned, the vessel's COI (which shall be aboard the vessel) will be accepted as evidence that the vessel's cargo gear has been periodically inspected. If a U.S. Coast Guard authorized agency (i.e., American Bureau of Shipping, International Cargo Gear Bureau, or National Cargo Bureau) performed the certification rather than the U.S. Coast Guard, then a *Cargo Gear Register* ([ILO Form 1](#)) and supporting certificates would be issued and should be aboard the vessel in addition to the COI.

c. Foreign Vessels. Documents attesting to vessel cargo gear certification surveys and examinations for foreign vessels are issued as follows:

- The cargo gear documentation will consist of a booklet called a *Cargo Gear Register* ([ILO Form 1](#)) that is supported by other certificates (e.g., [ILO Form 2](#), [ILO Form 2\(U\)](#), [ILO Form 3](#), [ILO Form 4](#)). Examples of a *Cargo Gear Register* and supporting certificates can be found in [Appendix I to Part 1918](#). The results of the tests and examinations are recorded in a *Cargo Gear Register*. The types of entries depend upon how the vessel is equipped. Additional entries may be made with respect to certain items or equipment, such as validation of performance of a repair, or replacement of a component. The *Cargo Gear Register* also contains instructions outlining the applicable requirements and a notation as to who may conduct the surveys. Entries are made in the register and cover the initial survey, annual examination(s), and five-year surveys of the assembled gear and its components. Entries also may include specific cranes or derricks which are out of service or have limitations to safe working loads.
- The CSHO will find that the documentation used by most maritime countries is similar to the examples in [Appendix I to Part 1918](#) and should determine whether the documents are in accordance with [ILO Convention No. 152](#). Foreign documentation generally is printed in English and the language of the issuing authority. The CSHO should accept vessel entries in the *Cargo Gear Register* ([ILO Form 1](#)) for an annual examination within the previous 12

months, and entries for examination and proof-load testing within the past five years (as per [ILO Convention No. 152](#)). The CSHO is cautioned that some countries may grant an extension of time in connection with these surveys (usually up to six months); if so, this should be verified by documentation aboard the vessel.

- CSHOs conducting maritime inspections of foreign vessels must be familiar with [ILO Convention No. 152](#) minimum standards for vessel's gear certification (See [Appendix I to 29 CFR Part 1918](#)). They also must know how to determine if the *Cargo Gear Register* is current and valid. When the vessel's gear is required to be certified and it is not, or the certificate is not current and valid, a citation must be issued citing [29 CFR 1918.11](#) when employees other than seamen are exposed to a hazard(s) associated with the vessel's gear.

NOTE: **No citations are to be issued under 29 CFR Part 1919.** The [29 CFR Part 1919](#) standards provide procedures and requirements governing the accreditation of agencies by OSHA for the purpose of certifying vessel's cargo gear and the manner in which these agencies must perform certifications. These are not standards that can be cited as the basis for an OSHA violation. (Citations are issued under 1915.115(a)(1), 1917.50 and 1918.11, as appropriate, with reference to the 29 CFR Part 1919 provisions.)

F. Web IMIS Database “[Maritime Crane Application](#).”

1. History and Database Development.

OSHA's Maritime Crane Accreditation and Certification Program provides an independent third-party impartial inspection of certain maritime cargo handling devices specifically required to be certificated under OSHA's maritime safety and health standards. The independent third-party, known as an OSHA Part 1919 Accredited Agency, is represented by an OSHA-approved “Signatory Authority” who is authorized to sign and issue OSHA Forms 71 and 72 in support of the inspection and certification process. Prior to January 1, 2009, these were 4-part carbon forms and were filled out manually by the OSHA Part 1919 Accredited Agencies. One copy was given to the owner, one sent to the OSHA area office having jurisdiction over the site of the inspection, one sent to the OSHA national office, and the final copy retained by the OSHA Part 1919 Accredited Agency.

On January 1, 2009, OSHA converted these forms from the paper (4-part carbon) format to an electronic format. Signatory Authorities are now required to review, edit and approve (electronically) all OSHA Forms 71 and 72 that are issued. Once approved, the Web IMIS “[Maritime Crane Application](#)” will automatically number the OSHA Forms 71 or 72. With this action, the forms become “official” and remain a part of the Web IMIS database. At this time, the Signatory Authority can print a PDF version of the form to sign and issue to the owner. OSHA area offices, regional offices and the national office (DEP/OME) have access to all approved and issued forms in the Web IMIS “[Maritime Crane Application](#).” An unofficial temporary

“draft” copy may be issued before entering the inspection into the Web IMIS application; however, the inspection will need to be entered, approved, printed, signed and issued to the owner as soon as reasonably possible (normally within ten calendar days). [[29 CFR 1919.11\(e\) and \(f\)](#)]

2. Electronic OSHA Forms 71 and 72. OSHA Forms 71 and 72 are used by OSHA Part 1919 Accredited Agencies in performing certification functions which are required for maritime cargo handling gear under 29 CFR Parts 1915, 1917 and 1918. Again, on January 1, 2009, OSHA converted the OSHA Forms 71 and 72 from a paper (4-part carbon) format to an electronic database format, meaning that these forms can only be accessed and used within the Web IMIS “[Maritime Crane Application](#)” system (i.e., as of January 1, 2013 all valid OSHA Forms 71 and 72 are Web IMIS generated).
3. Access, Data Entry and Approval. Access for entering data on these forms is restricted to OSHA approved Signatory Authorities and Surveyors (under the 29 CFR Part 1919 Gear Certification Program). The application also allows Part 1919 Accredited Agency office personnel (Admin Assistants) to enter information on the forms on behalf of Signatory Authorities and Surveyors. However, it is important to note that only the Signatory Authority is authorized to perform the final approval (each Signatory Authority has a unique User Name and Password). Once approved, the form is immediately available to OSHA area offices, regional offices and the national office (DEP/OME). Entering the system with a user name/password and approving the form is equivalent to physically signing the form. The OSHA Part 1919 Accredited Agency is required to print, sign and issue a paper copy of the form to the owner. Again, the only person authorized to approve and submit the completed form is the Signatory Authority.

NOTE: Allowing a person other than the Signatory Authority to enter the system (with the Signatory Authority User Name and Password) and give final approval is a violation of 29 USC 666(g), the criminal prohibition against false statements, representations and certifications in documents filed under the OSH Act.

OSHA field personnel may be granted access to review information in the Web IMIS “[Maritime Crane Application](#)” after completion of associated training. Contact OME at (202) 693-2157 or (202) 693-2399 to schedule training.

4. Database Security. To request an account in order to access the Web IMIS “[Maritime Crane Application](#)” contact OME at (202) 693-2157 or (202) 693-2399. Once approved, you will receive an email from OSHA’s Help Desk containing your user name, password, and the URL address (link) for the Web IMIS “[Maritime Crane Application](#).”

NOTE: For database security purposes, all user passwords will expire after 60 days of inactivity. This will effectively “lock-out” a user from the system. When locked-out, the user will need to either call the OSHA Help Desk, at (202) 693-2424, or email OSHAhelpdesk@dol.gov to obtain a new password. Also, all passwords will expire after 90 days, regardless of activity, and need to be renewed. The system will

display a message allowing the user to renew the password.

5. General Assistance and On-Line Help. Help with the Web IMIS “[Maritime Crane Application](#)” is available in several ways. For problems accessing the database, contact the OSHA Help Desk, at (202) 693-2424 or via email at OSHAhelpdesk@dol.gov. For assistance with questions about entering data or otherwise using the database, call OME at (202) 693-2157 or (202) 693-2399. Additional help is available online by accessing the “portal” main page and clicking on the “Online Help” tab located at the top right-hand side of the page. Next, select from the three option menu containing a PowerPoint presentation for training regional/area office personnel, sign-on instructions, and Questions/Answers for regional/area office personnel.

**APPENDIX A: LIST OF RATIFICATIONS OF
INTERNATIONAL LABOUR ORGANIZATION
CONVENTION ILO 152**

<u>ILO CONVENTION 152 RATIFICATIONS</u>		
Country	Date	Status
Brazil	May 18, 1990	Ratified
Congo	June 24, 1986	Ratified
Cuba	October 15, 1982	Ratified
Cyprus	November 13, 1987	Ratified
Denmark	December 22, 1989	Ratified
Ecuador	May 20, 1988	Ratified
Egypt	August 3, 1988	Ratified
Finland	July 3, 1981	Ratified
France	July 30, 1985	Ratified
Germany	December 17, 1982	Ratified
Guinea	June 8, 1982	Ratified
Iraq	April 17, 1985	Ratified
Italy	June 7, 2000	Ratified
Jamaica	November 4, 2005	Ratified
Lebanon	September 6, 2004	Ratified
Mexico	February 10, 1982	Ratified
Moldova	January 22, 2007	Ratified
Netherlands	May 13, 1998	Ratified
Norway	December 5, 1980	Ratified
Peru	April 19, 1988	Ratified
Russia	July 14, 2004	Ratified
Seychelles	October 28, 2005	Ratified
Spain	March 3, 1982	Ratified
Sweden	June 13, 1980	Ratified
Tanzania	May 30, 1983	Ratified
Turkey	March 17, 2005	Ratified

APPENDIX B: OVERVIEW OF OSHA's MARITIME 29 CFR PART 1919 GEAR CERTIFICATION PROGRAM

A. Maritime Gear Certification Program.

OSHA's 29 CFR Part 1919 Gear Certification Program provides for an independent third-party impartial inspection of certain maritime cargo handling devices specifically required to be certificated under OSHA's maritime safety and health standards. These standards are:

- 29 CFR Part 1915 – Shipyard Employment ([1915.115\(a\)\(1\)](#))
- 29 CFR Part 1917 – Marine Terminals ([1917.50](#))
- 29 CFR Part 1918 – Longshoring ([1918.11](#))

Pursuant to 29 CFR Part 1919, OSHA grants “Accredited Agency” status to private companies and organizations throughout the country to perform these third-party inspections. The OSHA Part 1919 Accredited Agencies conduct OSHA required maritime cargo gear certification examinations under the terms of their accreditation and issue OSHA Forms 71 and 72 as appropriate. A list of these OSHA Part 1919 Accredited Agencies is available on OSHA's website www.osha.gov/dts/maritime/compliance/maritime_update.html.

Each OSHA Part 1919 Accredited Agency has at least one “Signatory Authority” who has been approved by OSHA to sign and issue the OSHA Forms 71 and 72 as appropriate. Additionally, Accredited Agencies may have OSHA “Approved Surveyors” to assist in performing the required inspections and testing. The Approved Surveyors are not authorized to approve and issue OSHA Forms 71 and 72; only the Signatory Authority is authorized to do so.

B. Accreditation Program Process and Proceedings.

1. Initial Application. Persons and organizations wishing to become accredited must contact OSHA's Office of Maritime Enforcement (OME) at (202) 693-2399.
 - a. Interested parties are provided an information package, consisting of: (1) an expanded explanation of OSHA's maritime 29 CFR Part 1919 Gear Certification Program; (2) a guidance document on the use of the OSHA Forms 71 and 72; (3) a listing of the certification agencies accredited by OSHA under the provisions of 29 CFR Part 1919; and (4) a copy of the Code of Federal Regulations containing 29 CFR Parts 1911 to 1925. OSHA's 29 CFR Part 1919 Gear Certification Program is predicated on demonstrated expertise and experience in the inspection and testing of maritime industry cargo handling gear. Depending upon the maritime inspection experience and expertise of the applicant, a determination is made by OME as to whether the “controlled” OSHA Form 70 (Application for Accreditation to Perform Gear Certification Functions) is mailed with the information package. If it is determined that the applicant generally has the requisite experience and expertise, the OSHA Form 70 will accompany the information package.

- b. Applicants for accreditation apply under the procedures of 29 CFR 1919.3 and submit the completed OSHA Form 70 application to OME. The OSHA Form 70 requires information on the applicant's work experience and expertise (with an emphasis on maritime crane inspections), general administrative information, and the names of at least three (3) references that OSHA will contact requesting information regarding the work performed by the applicant as it relates to maritime 29 CFR Part 1919 *Gear Certification* examinations and testing.

Applicants also must state their intention to inspect vessels' cargo gear and/or shore-based material handling devices that are required to be certificated under OSHA's safety and health standards for shipyards, marine terminals and longshoring. The procedures and criteria governing accreditation to certificate vessels' cargo handling gear can be found in Subparts B, C, D and E of 29 CFR Part 1919. For shore-based material handling devices used to handle cargo, the criteria and procedures can be found in Subparts B, F, G and H of 29 CFR Part 1919. OSHA only grants accreditation to persons and organizations that intend to be engaged in examining, testing, and certifying cargo gear under OSHA maritime safety and health standards (29 CFR 1915.115(a), 1917.50 and 1918.11).

2. Processing Applications for Accreditation. When a completed application is received, OSHA will contact the references listed on the formal application. Each reference will receive a letter requesting their knowledge of how long they have known the applicant, their professional or business relationship, whether the applicant has worked for them, any details about the type of work or service the applicant has performed, and whether, in their opinion, the applicant is qualified to perform the duties applied for. The references should have management or supervisory responsibilities, with at least three references being from the maritime industry (shipyard employment, marine terminals, longshoring). Their satisfactory response in verifying the applicant's expertise in the inspection and testing of cargo handling devices used in the maritime industry constitutes a necessary and vital part of the application process.

When the completed application and all references have been received, a screening board consisting of OME's maritime staff convenes for a detailed assessment of the applicant. The applicant is primarily evaluated on their background, experience and expertise in examining and testing all types of cargo handling devices found in the maritime industry. The screening board also reviews the information provided by the references. While experience and expertise in operating, servicing, maintaining, repairing, installing and inspecting cranes and derricks are important factors in evaluating an applicant's qualifications, they are not by themselves sufficient to grant accreditation. In order to qualify for accreditation, an applicant also must demonstrate that their educational background and hands-on experience clearly indicate that they have extensive knowledge and expertise in the structural integrity, technical characteristics and limitations of all types of cranes and derricks found in the maritime industry for which they seek accreditation. Accompanying an OSHA accredited Signatory Authority on a few crane certification inspections or attending a few short-term courses would not demonstrate sufficient experience and expertise to enable granting accreditation. When it has been determined that the applicant has the requisite experience and expertise, a meeting is

arranged (usually a telephone interview) between the applicant and OME's maritime staff. The purpose of the meeting is to ascertain the applicant's understanding and knowledge of the 29 CFR Part 1919 Gear Certification Program technical requirements, applicable OSHA standards (Parts 1915/1917/1918/1919), program administrative requirements, and "Signatory Authority" responsibilities and authority.

OSHA Part 1919 Accredited Agencies that wish to employ surveyors to inspect maritime cranes under the 29 CFR Part 1919 Gear Certification Program must submit to OSHA their names, with accompanying resumes. The submission of individual resumes is not required where their submission would be unduly burdensome because of the large number of persons engaged on the applicant's behalf (such as an International Classification Society). In such circumstances the applicant, after stating this fact, need only submit a list of surveyor personnel together with a detailed statement of the qualifications upon which the appointment of surveyors is based ([See 29 CFR 1919.3\(b\)\(4\)](#)). OSHA will grant "Approved Surveyor" status to those who can show at least two years of crane experience in any combination of crane inspection, crane operation, or crane maintenance/repair experience. The approval is further based on the written assurance of the agency's Signatory Authority that the surveyor is qualified. The Signatory Authority is responsible for ensuring that surveyors are fully knowledgeable concerning the applicable standards and procedures governing the accreditation and certification process, are assigned only to equipment with which they are completely qualified, and conduct thorough and professional surveys of the equipment they have been assigned to survey.

3. Granting Accreditations. An initial accreditation is granted for a one-year period. However, no accreditation expires until action on an application for renewal shall have been finally determined, provided that such application has been properly executed in accordance with [29 CFR 1919.3](#) and filed with and received by OSHA not less than 15 nor more than 60 days prior to the expiration date (See [29 CFR 1919.5](#)). Agencies receive a certificate of accreditation with a letter explaining which accreditation function(s) have been granted, the accreditation expiration date, the geographical area of accreditation, and an acknowledgement of any requested surveyors who have been granted Approved Surveyor status. The letter also contains information on the Signatory Authority's responsibilities, which include overall responsibility for surveyors, use of the OSHA Forms 71 and 72, and necessary information regarding the Web IMIS "Maritime Crane Application."
4. Types of Accreditation. There are five types of accreditation that can be granted to an OSHA Part 1919 Accredited Agency. If an agency has all five accreditations, then it will be listed as "ALL." The accreditation types are as follows:
 - a. Full-Function Vessels (FF). Approved to inspect and certify vessel's cargo gear that is a permanent part of a vessel that has full-function (the vessel is self-propelled and capable of navigation).
 - b. Floating Cranes and Derricks (FCD). Approved to inspect and certify cranes and derricks that are on uninspected barges or other non-self-propelled vessels, such as a

floating drydock. These cranes and derricks can be an integral part of the vessel (i.e., per vessel design) and permanently mounted, or can be mobile cranes placed on a barge or other vessel.

- c. Shore-Based Material Handling Devices (SBMHD). Approved to inspect and certify material handling devices that are used on shore to handle marine cargo. This includes, but is not limited to cranes, derricks, grain spouts, spreaders, and special stevedoring gear (See [29 CFR 1917.50\(c\)](#)).
 - d. Loose Gear and Wire Rope Testing (LGWR). Approved to inspect and test wire rope and loose gear such as chain, hooks, etc. Some loose gear and wire rope agencies also may be approved to test and certify container spreaders and special stevedoring gear.
 - e. Non-Destructive Examination (NDE). Approved to conduct examinations of cargo handling gear by non-destructive testing. NDE is the examination of a structure or parts by electronic, ultrasonic, or other nondestructive examination suitable for the purpose.
5. Restrictions Regarding 29 CFR Part 1919 Accredited Agencies. It is essential that OSHA Part 1919 Accredited Agencies maintain the highest standards of honesty, integrity and impartiality when performing their duties in support of OSHA's 29 CFR Part 1919 Gear Certification Program. As a consequence, OSHA does not accredit the following:
- a. An individual or firm for the sole purpose of inspecting their own equipment.
 - b. An individual or firm primarily engaged in the maintenance, repairing, leasing, selling or manufacturing of such equipment.
 - c. An individual who is currently an employee of a company other than their own.
 - d. An individual or firm on the basis of a governmental contract or a private employer's requirements, when such accreditation to certificate devices is not specifically required to comply with the above mentioned maritime safety and health standards.
 - e. An individual who was employed as an Approved Surveyor with another OSHA Part 1919 Accredited Agency, unless he or she agrees not to perform any OSHA required certification surveys on equipment which has been previously inspected by that OSHA Part 1919 Accredited Agency until one year has elapsed from the date that the applicant was no longer an employee with the prior Accredited Agency.

OSHA can only grant accreditation and allow the use of its official certification forms (OSHA Forms 71 and 72) under the criteria specified in its 29 CFR Part 1919 *Gear Certification* standards, which are limited to the certification of certain types of material handling devices used in specifically designated maritime activities (See [29 CFR 1915.115\(a\)\(1\)](#), [29 CFR 1917.50](#) and [29 CFR 1918.11](#)).

6. Accreditation Renewal Process. In order to maintain their accreditation, OSHA Part 1919 Accredited Agencies are required by [29 CFR 1919.5](#) to apply for renewal at least every three years after the initial one-year accreditation period. Two months prior to renewal, OME will send a renewal notice with an OSHA Form 70 (application) to be returned to OME not less than 15 days prior to the current accreditation expiration date. OME also will send an email, via the OSHA regional office, to the appropriate area office, providing notification that an OSHA Part 1919 Accredited Agency located within their jurisdiction is renewing its accreditation. The email also will request any comments, positive or negative, that the OSHA regional or area office may wish to make. Comments received by OME from OSHA field offices will be considered in the renewal process.

When the OSHA Form 70 renewal application is received by OME and found acceptable, an accreditation renewal letter and certificate are processed for mailing to the OSHA Part 1919 Accredited Agency. OSHA's "[List of 29 CFR Part 1919 Accredited Agencies](#)" is then updated to reflect the accreditation renewal (this list is updated quarterly by OME).

C. OSHA's Web IMIS "Maritime Crane Application."

1. On January 1, 2009, OSHA's 29 CFR Part 1919 Gear Certification Program went online with an electronic database to record, issue and archive OSHA Forms 71 and 72. This converted the OSHA Forms 71 and 72 from a paper (4-part carbon) format to an electronic database format. The new electronic database is part of OSHA's Web Integrated Management Information System (Web IMIS).
2. Signatory Authorities, Approved Surveyors and Admin Assistants are each issued a user name (User ID) and password with which to enter the database system. Upon entering the database for the first time the user will be prompted to read and acknowledge the Web IMIS "Rules of Behavior."

NOTE: If users encounter problems accessing the database (i.e., passwords and other login difficulties), they should contact, OSHA's Help Desk, at (202) 693-2424 or via email at OSHAhelpdesk@dol.gov.

3. Training for using the Web IMIS is available from OSHA's OME staff, OSHA Part 1919 Accredited Agency personnel (previously trained), or the "Online Help" tab option on the system's portal page. For other questions about the program or data, call OME at (202) 693-2157 or (202) 693-2399.
4. As surveys are performed, the Signatory Authority, Approved Surveyor or Admin Assistant will electronically enter the system to record the survey results. The system recognizes Signatory Authorities and Surveyors by their individual user name and password and prints their name in the appropriate area of the approved form. When an Admin Assistant enters survey results on behalf of a Signatory Authority or an Approved Surveyor, they are prompted to choose for whom the data is being entered. If additional surveyors assist with the survey, their names can be added by the Signatory Authority on the OSHA Form 71 (Block 6, "Remarks") during the approval process.

The person entering the system to record survey results is required to fill out the first two pages of information, and then click the “Send for Approval” button which allows the Signatory Authority to open and review the information. Then the Signatory Authority can either send it back with comments for additional work, or proceed to the approval page (page three) to fill out and click the “Approved” button. This will allow the system to issue an official OSHA certificate number for the OSHA Form 71, or OSHA notice number for the OSHA Form 72 and activate the approved certificate or notice in the database making them available to OSHA offices.

5. As part of the OSHA form approval process, the Signatory Authority will need to select the State where the inspection is performed and which OSHA area office has jurisdiction over the equipment being certified. When approved electronically by the Signatory Authority, the appropriate OSHA regional office and area office, as well as OME, will immediately have access to the electronic copy of the OSHA Form 71 or 72.
6. After the official OSHA certificate or notice has been approved and submitted electronically, the Signatory Authority will need to print and sign a paper copy of the OSHA Form 71 or 72 to issue to the owner. An unofficial temporary “draft” copy may be issued before entering the survey into the system. However, the survey will need to be entered, approved, printed, signed and issued to the owner as soon as reasonably possible (normally within ten calendar days).

D. OSHA’s Certification Forms (OSHA Forms 71 and 72).

1. An OSHA Form 71 “Certificate of Unit Test and/or Examination of Crane, Derrick or Other Material Handling Device” is the official form used for documenting equipment that is required to be certificated by OSHA maritime standards pursuant to 29 CFR Part 1919 Subparts B, F, G and H. The OSHA Form 71 is used for an annual examination with a functional test, and for an initial, quadrennial or repair examination with functional test and a proof-load test for such equipment.
2. The OSHA Form 72 “Notice to Owner of Deficiencies Found on Certification Survey” is the official form used when deficiencies are found during an initial, annual, quadrennial or repair examination pursuant to 29 CFR Part 1919 Subparts B, F, G and H. The OSHA Form 72 should be issued when the deficiencies cannot be corrected prior to the OSHA Part 1919 Accredited Agency leaving the inspection site.

NOTE: Prior to January 1, 2009, when the OSHA Forms 71 and 72 were on paper (4-part carbon), they were typed or filled out by hand and mailed to the OSHA area office nearest the inspection site and to OME. As of January 1, 2013 all currently valid OSHA Forms 71 and 72 are **electronic forms** (i.e., in the Web IMIS “Maritime Crane Application” database).

3. In order to ensure OSHA that deficiencies noted on an OSHA Form 72 have been corrected, the following procedure shall be used:

The Signatory Authority, Approved Surveyor or Admin Assistant must electronically open the OSHA Form 72 submitted for the equipment being certificated and check the box indicating that all deficiencies have been corrected. Then the pre-populated OSHA Form 71 is opened by clicking on the “Issue 71” tab, and the required additional information is input until the form is completed, and the approval process is performed by the Signatory Authority.

4. The OSHA Forms 71 and 72 cannot be used for the certification of equipment that is not specifically required to be certificated by OSHA maritime standards. In such cases where the owner voluntarily requests their 29 CFR Part 1910 (General Industry) or 29 CFR Part 1926 (Construction Industry) equipment be certified, the OSHA Part 1919 Accredited Agency must use their own form(s), clearly indicating that the certification is not mandated by OSHA’s 29 CFR Part 1919 standards.
5. The situation may arise where the owner/employer specifically requests that cranes working in a general industry or construction application be certificated under the maritime standards, because the use of these cranes is also contemplated for marine cargo handling activities or for use aboard vessels used in shipyard employment (for example, a crane leasing company that wants a 29 CFR Part 1919 certified crane available to lease to a stevedore or shipyard employer). In this situation, the OSHA Part 1919 Accredited Agency may issue an OSHA Form 71. However, if the owner/employer also wants the crane to be inspected for compliance with general industry standards (29 CFR Part 1910) or construction industry standards (29 CFR Part 1926), then a supplemental report or certificate must be issued, in addition to the OSHA Form 71, to document these types of inspections in accordance with any appropriate OSHA standards.

NOTE: Images and Sketches. When creating an OSHA Form 71 or 72, the OSHA Part 1919 Accredited Agency may attach images and sketches into an OSHA Form 71 or 72 record for purposes of enhancing that record. These attachments will become a permanent part of the OSHA Form 71 or 72. The Accredited Agency clicks on the Images/Sketches tab which will allow access to the internet in order to capture images and/or sketches for attachment. Presently, images are only acceptable in jpg, bmp, png, & gif formats.

E. Web IMIS “Maritime Crane Application” Available Reports.

1. There are a number of reports available to users of the Web IMIS “Maritime Crane Application” on the portal page under the tab “Oracle Reports.” These standard reports are summarized in the following table:

Web IMIS “Maritime Crane Application” Reports		
REPORTS	INFO AND DATA	ACCESSIBLE TO
OSHA 71 Form	Displays PDF of 71s.	National, Regional, Area Office, Signatory/Surveyor/Admin. Assistant.
OSHA 72 Form	Displays PDF of 72s.	National, Regional, Area Office, Signatory/Surveyor/Admin. Assistant.
OSHA 71 Certification History Report	Sorts OSHA 71s by owner, surveyor, date, etc.	National, Regional, Area Office, Signatory/Surveyor/Admin. Assistant.
OSHA 72 Deficiency History Report	Sorts OSHA 72s by owner, surveyor, date, etc.	National, Regional, Area Office, Signatory/Surveyor/Admin. Assistant.
OSHA 71/72 Forms Count Report	71 and 72 totals by agency.	National, Regional, Area Office.
OSHA 71 Expired/Overdue Inspection Report	71s with overdue annual and quadrennial inspections date.	National, Regional, Area Office.
Signatory Work History Report	Agencies that signatories have worked for.	National, Regional, Area Office.
Draft OSHA 71 Blank Form	OSHA 71 with “Draft” Watermark.	National Office, Signatory/Surveyor/Admin. Assistant.
Draft OSHA 72 Blank Form	OSHA 72 with “Draft” Watermark.	National Office, Signatory/Surveyor/Admin. Assistant.
OSHA 71 Blank Form	Blank 71 without watermark.	National Office.
OSHA 72 Blank Form	Blank 72 without watermark.	National Office.
Agency Expiration Report	Status of start and end date of 29 CFR Part 1919 Accreditation.	National Office.
Signatory/Surveyor Expiration Report	Expiration dates for signatories and surveyors current and past history.	National Office.
OSHA 71 Late Inspection Report	Summary of 71s past inspection due date.	National Office.
OSHA 71 and OSHA 72 Count by Area Office Report	Summary of 71s and 72s by Area Office count.	National Office.
Flagged OSHA 71 Summary Report	Summary of 71s with inaccurate/incomplete data.	National Office.
Flagged OSHA 72 Summary Report	Summary of 72s with inaccurate/incomplete data.	National Office.
OSHA 71 and OSHA 72 Count by Agency Report	Summary of 71s and 72s by agency count.	National Office.
Surveyor Work History Report	Agencies that Surveyors have worked for.	National Office.
Approved Equipment List	List of all Manufactures, Model and Serial Numbers.	National Office.

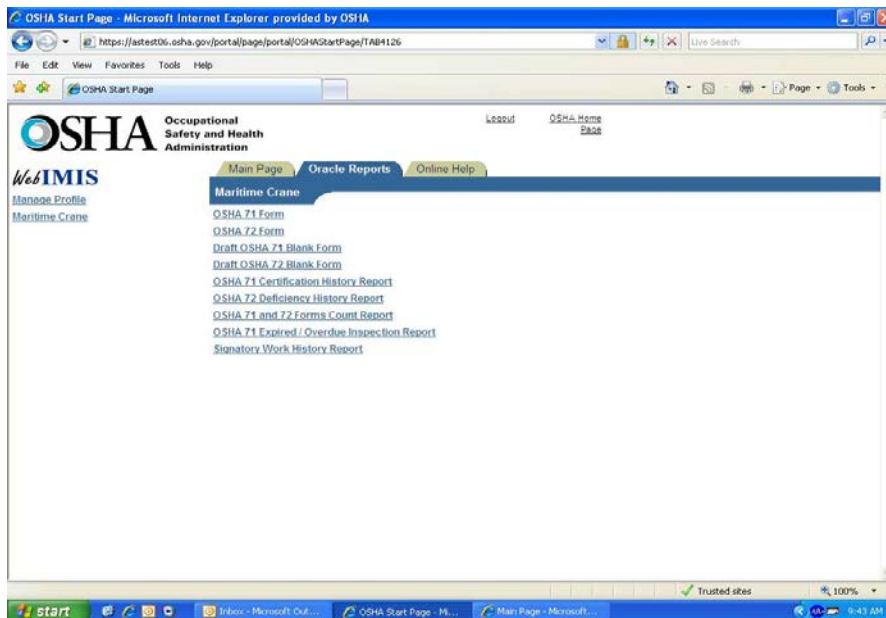
APPENDIX C: COMMON QUESTIONS AND ANSWERS REGARDING THE WEB IMIS “MARITIME CRANE APPLICATION”

Question 1: Does the Web IMIS “Maritime Crane Application” provide OSHA regional offices and area offices with “Red Flags” indicating potential discrepancies on OSHA Forms 71 and 72?

Answer: No. Only the OSHA National Office (DEP/OME) receives “Red Flags.” DEP/OME will get “Red Flags” for a variety of reasons related to the proper completion of OSHA Forms 71 and 72 by the 29 CFR Part 1919 Accredited Agencies, such as the proper performance and timeliness of cargo handling gear inspections. This allows the DEP/OME staff to readily identify potential issues and inconsistencies such as: annual examination is past due; quadrennial examination and proof-test is past due; recorded proof-test was not 10%/25% (as appropriate) in excess of the rated load; an attempt was made to enter an OSHA Form 71 without clearing a pending OSHA Form 72 for the same piece of equipment; a variable radius boom was not tested at minimum, maximum, and intermediate radii as required; an OSHA Form 71 was reissued within 90 days of a prior OSHA Form 71 for the same piece of equipment; and to provide notification that special comments were provided by the Signatory Authority to DEP/OME (Signatory Authorities can provide written comments during the approval process to clarify inspection and testing activities or information).

Question 2: Do OSHA field offices get a “Red Flag” for expired 71s?

Answer: No. OSHA field offices will have to run an “Expired/Overdue Inspection Report” under the Oracle Reports tab in order to determine if an OSHA Form 71 is overdue.



Question 3: Do OSHA field offices get a “Red Flag” for an expired OSHA Form 72?

Answer: No. OSHA field offices will have to run an “OSHA-72 Deficiency History Report” in order to determine if an OSHA Form 72 is overdue (See Web IMIS screen in Question 2).

Question 4: Will OSHA field offices have access to forms for traveling cranes that have been inspected in another location, but are now operating in a different OSHA area office jurisdiction?

Answer: OSHA field offices will not receive an OSHA Form 71 or OSHA Form 72 in the queue if a piece of equipment was not in the office's jurisdictional area when it was inspected. However, an OSHA field office can search and view the forms for any piece of equipment by going to the Oracle Reports tab on the portal page and searching the database based on the available criteria.

Question 5: Can OSHA field offices search for *Inspection Dates* or just *Approval Dates*?

Answer: In the Web IMIS "Maritime Crane Application" program and in the Oracle Reports, OSHA field offices can only search based on *Approval Date*. However, the "Days Expired" in the "Expired/Overdue Inspection Report" is based on the *Inspection Date*.

Question 6: How long do the OSHA Forms 71 and 72 remain in the database?

Answer: All approved OSHA Forms 71 and 72 remain in the database indefinitely.

Question 7: Will each OSHA area office have a common login for CSHOs to use the database?

Answer: No. In order to access the database, each user must have their own user name and password. To have a person added to access the database, you must contact DEP/OME.

NOTE: For database security purposes, all user passwords will expire after 60 days of inactivity. This will effectively "lock-out" a user from the system. When locked-out, the user will need to either call the OSHA Help Desk, at (202) 693-2424, or email OSHAhelpdesk@dol.gov to obtain a new password. Also, all passwords will expire after 90 days, regardless of activity, and need to be renewed. The system will display a message allowing the user to renew the password themselves.

Question 8: For OSHA inspection purposes, when is a piece of equipment considered to be inspected?

Answer: A piece of equipment that is inspected pursuant to 29 CFR Part 1919 is not considered to be inspected until the OSHA Form 71 is issued by the Signatory Authority. However, due to the approval process and possible electronic access limitations in the field, there may be a time delay from when the equipment is physically inspected and when the data is entered and approved by the Signatory Authority, and printed out, signed, and provided to the owner. For OSHA inspection purposes, OSHA will accept the following documentation from an owner proving that the equipment has been inspected which will allow for its continued use until the official OSHA Form 71 is entered and approved in the Web IMIS "Maritime Crane Application" database (normally within ten calendar days). [29 CFR 1919.11(e)]

- A handwritten OSHA Form 71 signed by an Approved Surveyor.
- A handwritten OSHA Form 71 signed by a Signatory Authority.
- A printed PDF OSHA Form 71 filled out by an Approved Surveyor that has been submitted to a Signatory Authority for approval.

APPENDIX D: SAMPLE COMPLETED OSHA FORM 71

Certificate of Unit Test and/or Examination of Crane, Derrick, or Other Material Handling Device

U.S. DEPARTMENT OF LABOR Occupational Safety and Health Administration



Paperwork Reduction Act Notice

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data source, gathering and maintaining the data needed, and completing and reviewing the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. If you have any comments regarding this estimate or any other aspect of this information collection, including suggestions for reducing this burden, please send them to OSHA's Office of Maritime Enforcement, Room N-3610, 200 Constitution Avenue, NW, Washington, D.C. 20210.

DO NOT SEND THE COMPLETED FORM OR COMMENTS TO OMB

Form Approved
OMB No. 1218-0003

This certificate may be issued only by persons acting under current accreditation by the Occupational Safety and Health Administration under the provision of 29 CFR Part 1919, or otherwise specifically authorized to do so by the Occupational Safety and Health Administration. Use of this certificate by unauthorized persons is prohibited. Violators may subject themselves to the penalties provided in 33 U.S.C. 941 (P.L. 85-742) and/or 29 U.S.C. 655 (P.L. 91-596).

OSHA Certificate No.:
2010-71-0030-0102

1. Owner:
King Crane Service
123 Main Street Suite 100 Anywhere, OH, 12345

Agency No.:
KCS 2010-0024

2. Description:

- ☒ Crane (truck, rail, etc) **Crawler Crane**
☐ Derrick
☐ Other

N/A

If spout or other device describe:

Location:

- ☒ (a) Remains at worksite
☐ (b) Changes worksite
☐ (c) Aboard vessel

If (a) or (c), describe:

Pier 1

Manufacturer

Best

Model

B 100

Serial No.

1234 BB

Owner's identification, if any

KCS-1

Certificate Type:

- ☐ Initial ☐ Annual ☒ Quad ☐ Repair

Date of Last Annual

26-OCT-09

Date of Last Quad

26-OCT-06

3. Service status at time of survey (check):

- ☒ Lifting ☐ Magnet
☐ Clamshell ☐ Other (describe): **N/A**

4. Boom at time of survey (except bridge cranes):

Length(ft) (in) Type
100 6 Steel Truss w/Tubular Chords & Lacings

5. Test loads applied (N/A if only examination conducted):

Radius(ft)	Radius(in)	Proof Loads(lbs)	Rated Loads(lbs)
50	6	82500	75000
70	6	60500	55000
90	6	38500	35000

Means of application of proof load:

Test Weight

Basis for assigned load ratings:

Manufacturer's Load Chart

6. Remarks and/or limitations imposed:

None

7. Load indicating or limiting device (check): ☒ Fitted ☐ Not fitted ☒ Accuracy **1** %

I certify that on the **26** day of **OCT**, **2010** the above described device was tested and examined by the undersigned or his/her authorized representative, that said tested and examined met in all respects with the requirements of 29 CFR Part 1919 or with requirements declared compatible under the provisions of 29 CFR 1917.50(b)(2), any deficiencies considered to constitute unsatisfactory conditions have been corrected; and that the device has been found to be in compliance in all applicable respects with the governing requirements.

Name and address of accredited or otherwise authorized organization making the test and/or examination:

OSHA Tester's, 123 Spring Rd Baltimore, MD, 21146

Name and address of authorized person carrying out the test and/or examination:

Joe Tester
123 Spring Rd Baltimore, MD, 21146

Position of signatory in the organization making the test and/or examination:

Joe Tester,

Signature of Signatory Authority:

Date: **10/26/2010**

APPENDIX E: SAMPLE COMPLETED OSHA FORM 72

**Notice to Owner of Deficiencies Found
on Certification Survey**

**U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration**



Paperwork Reduction Act Notice

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Form Approved
OMB No. 1218-0003

DO NOT SEND THE COMPLETED FORM OR COMMENTS TO OMB

This notice is use only by persons acting under current accreditation by the Occupational Safety and Health Administration under the provision of 29 CFR Part 1919, or otherwise specifically authorized to do so by the Occupational Safety and Health Administration. Use of this notice by unauthorized persons is prohibited. Violators may subject themselves to the penalties provided in 33 U.S.C. 941 (P.L. 85-742) and/or 29 U.S.C. 655 (P.L. 91-596).

1. Owner King Crane Service 123 Main Street Suite 100, Anywhere, OH, 12345		
2. Identification, location, and specific description of equipment ID: Best B 100/1234 BB LOC: Pier 1 EQUIP DESC Other Type Crane N/A	Owner Identification KCS-1	OSHA Notice No. 2010-72-0030-0032 Agency No. KCS 2010-0024
3. The undersigned, being authorized to do so, hereby tenders notification of the following listed uncorrected deficiencies, found upon (test and examination) (examination) of the described equipment in accordance with the requirements of 29 CFR Parts 1915, 1917, 1918 and/or 1919, as applicable, to constitute in the opinion of the undersigned a currently unsatisfactory condition.		
1. Broken glass in cab		
2. Controls are unmarked		
3. Several lacings are bent		
4. On the 26 day of OCT, 2010 the above described device was tested and examined by the undersigned or his/her authorized representative. Under the applicable requirements of 29 CFR Part 1919, the issuance of any certificate is prohibited until such time as correction of deficiencies has been verified by the undersigned. It is further required that the certifying authority notify the nearest local office of the Occupational Safety and Health Administration of the above circumstances, by electronic copy of this notice.		
5. Name and address of accredited or otherwise authorized organization making the test and/or examination: OSHA Tester's 123 Spring Rd, Baltimore, MD, 21146		
6. Name and address of authorized person carrying out the test and/or examination: Joe Tester 123 Spring Rd, Baltimore, MD, 21146		
7. Position in the organization of signatory making the test and/or examination: Joe Tester,		
Signature of Signatory Authority:	Date: 10/26/2010	